

COASTAL CONSERVANCY
Staff Recommendation
December 2, 2004

GUALALA BLUFFTOP TRAIL MAINTENANCE

File No. 04-081
Project Manager: Moira McEnespy

RECOMMENDED ACTION: Authorization to disburse up to \$5,200 to the Redwood Coast Land Conservancy to repair and maintain the Gualala Blufftop Trail.

LOCATION: West of Highway 1, town of Gualala, Mendocino County (Exhibits 1 and 2)

PROGRAM CATEGORY: Public Access

EXHIBITS

Exhibit 1: Project Location

Exhibit 2: Project Site Map

RESOLUTION AND FINDINGS:

Staff recommends that the State Coastal Conservancy adopt the following resolution pursuant to Sections 31000 *et seq.* of the Public Resources Code:

“The State Coastal Conservancy hereby authorizes disbursement of an amount not to exceed five thousand two hundred dollars (\$5,200) to the Redwood Coast Land Conservancy (RCLC) to repair and maintain the Gualala Blufftop Trail, in the town of Gualala, Mendocino County, subject to the condition that the project shall not commence and no funds shall be disbursed for the project until:

1. The Executive Officer has approved in writing:
 - a. a project work program, budget, and timeline and
 - b. the use of any contractors to carry out all or part of the project; and
2. The RCLC has submitted evidence that it has obtained any and all necessary permits.

Staff further recommends that the Conservancy adopt the following findings:

“Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that:

1. The proposed Gualala Blufftop Trail project is consistent with the purposes and criteria set forth in Chapter 9 of Division 21 of the Public Resources Code.
 2. The proposed Gualala Blufftop Trail project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.
 3. The Redwood Coast Land Conservancy is a private nonprofit organization existing under Section 501(c)(3) of the U.S. Internal Revenue Code, and whose purposes are consistent with Division 21 of the Public Resources Code.”
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PROJECT SUMMARY:

Staff recommends that the Conservancy authorize disbursement of up to \$5,200 to the Redwood Coast Land Conservancy (RCLC) to repair and maintain the Gualala Blufftop Trail (Exhibits 1 and 2).

In October 1994, the RCLC accepted three offers to dedicate public access easements over the Gualala Blufftop Trail corridor, and stated its intent to develop the trail to give the public access to the scenic beauty of the Gualala River estuary, native flora, bird watching, whale watching, and views of the Pacific Ocean, and to provide a safe alternative for walking between businesses in the commercial district of Gualala.

The Conservancy authorized funds to the RCLC in June 1997 and August 2003 to assist the RCLC in constructing the trail. RCLC has constructed and opened the northern section (Phase I), and will construct the southern section (Phase II) by end of April 2005.

The RCLC now needs funds to repair and maintain the opened section of trail. Specifically, RCLC needs to install the following items: approximately 190 feet of split-redwood picket fencing to fill gaps that were previously vegetated (an adjacent motel owner cut back bushes that were a natural barrier), trail boundary markers, a new sign to replace one that has not stood up to weather conditions, additional shale on the trail surface, some replacement plants, and a dog waste dispenser.

Site Description: The Gualala Blufftop Trail is located on a 25-foot-wide access easement that runs from the southern property boundary of the Surf Motel to the north, to a drainage culvert on the north side of the Breakers Inn to the south. To the east are commercial buildings, and to the west is the Gualala River. Blufftop vegetation consists largely of weeds typical of ruderal areas, with a few garden escapees such as nasturtiums and *Vinca*. The trail provides open views of the Gualala River estuary, and beaches to the South.

Project History: In October 1994, the RCLC accepted two 25-foot-wide adjacent lateral OTDs (Humber to the north and Bower to the south), extending from residential property just north of the Sea Cliff Motel south to the Gualala Redwoods property (about a half-mile north of the Gualala River Bridge, at the southern end of the Ocean Song Restaurant). The RCLC also accepted a five-foot-wide vertical access easement across the Surf Motel property from Highway 1 to the mean high tide line that the landowner (Bower) agreed exists via prescriptive rights. In June 1997 and August 2003, the Conservancy

authorized funds to assist the RCLC in constructing the trail; the Conservancy has also provided some engineering design work under a retainer contract.

PROJECT FINANCING:

Coastal Conservancy	\$5,200
RCLC donations and in-kind services and materials	<u>900</u>
Total Project Cost:	\$6,100

Conservancy funding is expected to come from the coastal access account, which specifically provides funds for the operation and maintenance of accessways. The proposed project consists of repairing and maintaining a trail opened on an offer-to-dedicate, and is thus consistent with the purpose of this funding source. The RCLC will provide a match in the form of volunteer labor for sign installation and planting work, and purchase of some of the needed materials.

CONSISTENCY WITH CONSERVANCY'S ENABLING LEGISLATION:

The proposed project would be undertaken pursuant to Chapter 9 (Sections 31400 *et seq.*) of Division 21 of the Public Resources Code. Section 31400 states the Legislature's intent that the Conservancy have a principal role in the implementation of a system of public accessways to and along the state's coastline. The proposed project will repair and maintain a public pedestrian trail along a blufftop overlooking the coastline. The proposed funding authorization is thus consistent with §31400.

Section 31400.3 allows the Conservancy to aid nonprofit organizations in establishing a system of public coastal accessways. RCLC, which will carry out the proposed project, is a private nonprofit organization existing under §501(c)(3) of the U.S. Internal Revenue Code, having among its principal charitable purposes the preservation of land for recreational, educational, agricultural, scenic and open space opportunities. The proposed funding authorization thus meets the requirement of §31400.3 to aid nonprofit organizations in establishing a system of public coastal accessways, and is thus consistent with this section.

The Gualala Blufftop Trail provides a link in the California Coastal Trail, enabling users to walk the coastline west of Highway 1. Hence, the proposed project is also consistent with §31408(a), which directs the Conservancy to coordinate the development of the California Coastal Trail.

CONSISTENCY WITH CONSERVANCY'S STRATEGIC PLAN GOAL(S) & OBJECTIVE(S):

Consistent with **Goal 1 Objective C** and **Goal 2 Objective C**, the proposed project consists of improving and maintaining the Gualala Blufftop trail, which RCLC constructed and opened over an offer-to-dedicate a public access easement that it acquired in October 1994. The trail will overlook the Gualala River estuary and is an off-highway link in the California Coastal Trail.

CONSISTENCY WITH CONSERVANCY'S PROJECT SELECTION CRITERIA & GUIDELINES:

The proposed project is consistent with the Conservancy's Project Selection Criteria and Guidelines adopted January 24, 2001, in the following respects:

Required Criteria

1. **Promotion of the Conservancy's statutory programs and purposes:** See the "Consistency with Conservancy's Enabling Legislation" section above.
2. **Consistency with purposes of the funding source:** See the "Project Financing" section above.
3. **Support of the public:** Construction of the Gualala Blufftop Trail has been supported by Congressman Mike Thompson; State Senator Wesley Chesbro; State Assemblymember Patty Berg; the California Department of Parks and Recreation; the California Native Plant Society; the Coastal Commission; the County of Mendocino; the Gualala Municipal Advisory Council; and local residents Ms. Fiona O'Neill, Mr. Bob Rutemoeller, Ms. Barbara Tatum, and Mr. William Chapman.
4. **Location:** The proposed project is located within the coastal zone of the town of Gualala, southern Mendocino County.
5. **Need:** The RCLC is an all-volunteer nonprofit organization that has committed to the task of accepting and opening three OTDs. Conservancy assistance is now needed to enable the RCLC to repair and maintain the trail.
6. **Greater-than-local interest:** The Mendocino coast is a statewide and national scenic and recreational destination. State Highway 1 is the closest public road to the trail, and has traffic counts of approximately 6,000 vehicles per day in the summer. In addition, RCLC monitors use of the Phase I segment of the trail on a weekly basis, and reports usage of more than 20,000 people per year.

Additional Criteria

7. **Realization of prior Conservancy goals:** The Conservancy has been involved in the Gualala Blufftop Trail project since 1994. Completion of this project will further the Conservancy's goal of seeing OTDs opened to the public, build upon the Conservancy's efforts in developing and opening Phases I and II of the trail, and further the development of an off-highway route for the California Coastal Trail.

CONSISTENCY WITH LOCAL COASTAL PROGRAM POLICIES:

The proposed project is consistent with the relevant portions of the Coastal Element of the Mendocino County Land Use Plan, which is part of the Local Coastal Program (LCP). The LCP was certified by the Coastal Commission on September 10, 1992.

The Land Use Plan contains coastal element policies pertaining to shoreline access. Policy number 3.6-6 states in relevant part that "Shoreline access points shall be at frequent rather than infrequent intervals for the convenience of both residents and visitors and to minimize impacts on marine resources at any one point."

Policy number 4.12-18 states in relevant part that the “[o]ffer of access by Bower shall be accepted; to provide the potential for completion of a public trail from Central Gualala to Gualala bridge. The trail shall follow along the blufftop, and shoreline segments may need to use the public right of way of Highway 1 over impassable areas.”

Appendix 13, “Summary of Designated Coastal Access Points and Trail System,” lists the Gualala Blufftop trail as Item 106.

The proposed project will repair and maintain a public pedestrian access trail over the accepted Bower access easement along the blufftop in Gualala, directly overlooking the Pacific Ocean. The proposed project is thus consistent with the relevant policies contained in the Mendocino County LCP.

COMPLIANCE WITH CEQA:

The proposed repair and maintenance project is categorically exempt from the California Environmental Quality Act (CEQA) for the following reasons:

The proposed project qualifies as a Class 1 categorical exemption pursuant to 14 Cal. Code of Regulations Section 15301 in that it consists of repair, maintenance, and minor alteration of existing structures and facilities within the original footprint. Specifically, gaps in an existing split-redwood fence will be filled in, a sign will be replaced, and new gravel will be put down on an existing trail surface.

The proposed project qualifies as a Class 2 categorical exemption pursuant to §15302 in that it consists of replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced. Specifically, a sign will be replaced, and new gravel will be put down on an existing trail surface.

The proposed project qualifies as a Class 3 categorical exemption pursuant to §15303 in that it consists of construction of a limited number of new, small structures, specifically a new pet waste dispenser along an existing trail right-of-way.

The proposed project qualifies as a Class 4 categorical exemption pursuant to 14 Cal. Code of Regulations Section 15304 in that it consists of minor private alterations in the condition of land and vegetation which do not involve removal of healthy, mature, scenic trees. Specifically, plants will be replaced within an existing trail right-of-way.

Staff will file a Notice of Exemption upon the Conservancy’s approval of the project.